

Improving Regulatory Governance : *Trends, Practices and the Way Forward*

DOI: <http://dx.doi.org/10.1787/9789264280366-en>

ISBN 978-92-64-27984-1 (print)

ISBN 978-92-64-28036-6 (PDF)

© OECD/Korea Development Institute 2017

Corrigendum

(if appropriate) Table or figure number. Table or figure title in italics.

Description of correction in the language of the book, in roman.

Page 89

Chapter 4 text should read as:

This chapter provides an overview of the oversight roles and functions within the central government in Korea. It highlights the importance of establishing regulatory governance structures that cover both legislative and executive branches and the need to build capacity and cultural change within Ministries and ~~agencies~~ departments (and not only at the centre of government), in addition to systemising crowd sourcing and private-public consultation for the enhanced quality of collected information and facilitating the development of regulatory measures.

Page 93:

The legislative power shall be vested in the National Assembly (Article 40). Bills may be introduced by members of the National Assembly or by the Executive (Article 52). The President may issue presidential decrees concerning matters delegated to him or her by Acts with the scope specifically defined and also matters necessary to enforce Acts (Article 75).i The Prime Minister or the head of each Executive Ministry may, under the powers delegated by Acts or Presidential Decrees, or ex officio, issue ordinances of the Prime Minister or the Executive Ministry concerning matters that are within their jurisdiction. (Article 95)

Page 96:

In Korea, under the 1998 Framework Act on Administrative Regulations (FAAR), regulatory oversight regarding administrative regulations is performed by the Regulatory Reform Committee (RRC) and the Regulatory Reform Office within the Prime Minister's Office. There is no equivalent regulatory oversight for the legislative branch. The RRC is a non-standing committee co-chaired by the Prime Minister and a non-government official that has the authority to review and clear every new administrative regulation proposal, prepare comprehensive plans to streamline existing regulations,ⁱⁱ and evaluate the performance of ministries and agencies in improving regulation. According to Article 24 of the FAAR, the RRC is also supposed to deliberate upon and coordinate matters concerning "basic direction-setting for regulation policy as well as research and development of regulatory system," even though its role has been limited in this area. Regulatory Reform Qoffice within the Prime Minister's Office plays a central role in policymaking and coordination and also serves as a de facto secretariat for the RRC.

Page 100

For a comparative benchmark, in Britain, in a government department of 2000 people, such as Department of Environment, Food, and Rural Affairs (DEFRA), there might be 5 people in the Better Regulation Team/Unit who scrutinize regulatory proposals including reviewing Impact Assessments (IAs) and 50 economists/analysts who advise on the quantitative aspects of IAs (among other tasks such as [advising](#) on evaluations, business cases and design of economic policies). These economists/analysts are embedded in policy teams and available to policymakers when they draft IAs. There is strong [oversight governance](#) for IAs within the department before they go to the Regulatory Policy Committee (RPC) for external confirmation, including 1) review by the Better Regulation Team 2) peer review by an economist from a different part of the department 3) sign-off by the chief economist of the department.iii There is very direct feedback and dialogue in the development of IAs, often with constant development and review. In addition, a consultation-stage IA is usually published as part of public consultation about a proposal, and this provides a level of review from stakeholders, whose feedback is then incorporated into the final-stage IA before it is submitted to the RPC. Government departments typically undertake their IAs in-house, although research to inform them is often commissioned outside.iv Regarding methodological issues, the main resource is the Better Regulation Framework Manual.v In addition, the Regulatory Framework Group and a cross-departmental group on the Economics of Regulation discuss issues not covered in the standard manual. Also, the RPC puts together a live document called “Case Histories,” which provides examples of exceptional cases and how these were dealt with. Empirical data for IAs are drawn from a wide variety of sources that have been subject to validation either by professional peer review, or where such data is lacking, by consensus review. Most importantly, there is a credible political commitment to evidence-based policymaking through IAs: Policies cannot progress without IAs being scored as fit for purpose, and information on department performance is widely available, including “league tables” showing the ranking of government departments based on their IA performance. Government departments suffer a decline in reputation if they perform [poorly](#).vi

Page 102:

- Take stock of existing regulations and coordinate regulatory offsets within the Ministry and across Ministries by using an appropriate incentive scheme [regarding](#) their cost and benefit:

Page 104:

The lack of quality control at the legislative level and the preference for National Assembly-initiated legislation, in combination with voters’ increasing demand for social welfare, have contributed to a proliferation of legislative bills. The number of draft bills introduced by members of the National Assembly increased from 1 912 during the 16th National Assembly (2000-04) to 6 387 during the 17th (2004-08), and then to 12 220 during the 18th (2008-12). During the 19th National Assembly (2012-16), a total of 16 729 draft bills were introduced by the members of the Assembly. Some key regulations have been introduced through National Assembly-initiated legislation, including the strengthening of the resale price maintenance provision for books.

Page 106:

For a comprehensive discussion of regulatory impact analysis in OECD countries, see [OECD, Regulatory Impact Analysis: A Tool for Policy Coherence, 2009](#).

Page 151:

Chapter 6 text should read as:

This chapter zooms in on the possibilities offered by broad stakeholder engagement in the problem-solving stage of policy-making, particularly drawing on the insights from the experience of Korea. It looks at the implications that various forms of engagement have on the policy-makers and the civil service. As Korea’s regulatory reform

Sinmungo shows crowd sourcing and open policymaking can provide useful information, that may have been overlooked by government officials, and even lead to practical solutions to various challenges in policy making. Although information collected through crowd sourced may be idiosyncratic and uneven in quality, especially in the early phases of implementation, the quality of information is likely to improve over time with the learnings from accumulated experience.

-
- i. An exception to this rule is Presidential Emergency Orders, which can be issued by the President in a time of national emergency without prior delegation by the National Assembly, according to Article 76 of the Constitution. However, after issuing a Presidential Emergency Order, the President must promptly report to the National Assembly and obtain its approval. Otherwise, the Presidential Emergency Order loses its effect.
 - ii. Each year the RRC prepares comprehensive plans to streamline existing regulations by designating core regulatory items and combining them with self-chosen existing regulations by the Ministries. At the end of each year, the RRC calculates the achievement rate and evaluates the performance of the Ministries based on their progress. For instance, in 2015, the RRC designated 110 core regulatory items, including regulations on certification, and added 859 self-chosen existing regulations submitted for streamlining by the Ministries. Its achievement rate was 87% in 2015.
 - iii. This information is based on the author's e-mail correspondence with Edward Lockhart-Mummery, Review Leader, Smarter Environmental Regulation Review, Department for Environment, Food, and Rural Affairs, September 2014.
 - iv. For instance, Health and Safety Executive (HSE) has undertaken all its IAs in-house in recent years.
 - v. See <https://www.gov.uk/government/publications/better-regulation-framework-manual>.
 - vi. Better Regulation Executive, Regulatory Policy Committee, and National Audit Office all publish information of department performance on IAs.